



### REMARKS

This Amendment is in response to the Office Action dated April 21, 2005. Claims 1-18 are pending in the application. Claims 1-11 were rejected. Claims 1-18 are subject to restriction. During a telephone conversation regarding claims 1-18, a provisional election was made without traverse to prosecute claims 1-11. Applicants hereby affirm the election of claims 1-11. Claims 1, 2, 5, and 6 have been amended to clarify claim scope. New claims 19 and 20 have been added to provide claims of varying scope than those initially filed. Examination and reconsideration based on this Amendment and the following remarks are respectfully requested.

#### *Claim Rejections - 35 U.S.C. § 102*

Claims 1-3 and 5-6 were rejected under 35 U.S.C. 102(e) as being anticipated by Montoyama et al., U.S. Patent No. 6,662,225 (hereinafter Montoyama). Applicants respectfully submit that Montoyama does not teach or suggest each and every feature of Applicants' amended independent claims 1 and 5.

##### Claim 1

Applicants' amended claim 1 is drawn to a client-side system stored on a computer, wherein the client-side system logs, in a logging file, any user interactions with an application program module and periodically uploads the logging files to a remote server system for analysis of the logging file. The client-side system comprises, among other features, (1) a logging code in communication with the application program module, wherein the logging code comprises a plurality of hooks into the application program module and an operating system of the computer, wherein when any feature of the application program module is used, one of the plurality of hooks is triggered and a data record is generated.

In contrast, Montoyama discloses objects that only monitor and log user actions when a user selects predetermined function keys not any user interaction as recited in amended claim 1. (See Montoyama, column 12 lines 66- column 13, lines 1-2, 14-16, and 33-34; column 16, lines 48-49; and column 31, lines 10-12). Clearly, Montoyama is focused on logging data only when specific user actions occur. Thus, Montoyama does not anticipate amended claim 1.

Also, Montoyama does not disclose a logging code comprising hooks into an operating system of a computer as recited in claim 1. Montoyama does not mention operating system hooks anywhere in the disclosure. Thus, amended claim 1 is allowable over Montoyama for at least these reasons.

Claim 5

Applicants' amended claim 1 is drawn to a computer-implemented method for tracking any user interactions with a software application program module stored on the user's computer. The method comprises, among other features, (1) determining any user interaction with the software application program module, (2) determining that a scheduled event is triggered during a predetermined time period, and (3) in response to the scheduled event triggering during the predetermined time period, determining whether the logging file exists, and, if so, then uploading the logging file to a remote analysis server.

As described above with respect to amended claim 1, Montoyama discloses logging data only when specific user actions occur and thus, does not teach or suggest determining any user interaction as recited in amended claim 5. (See Montoyama, column 12 lines 66 - column 13, lines 1-2, 14-16, and 33-34; column 16, lines 48-49; and column 31, lines 10-12). Also, Montoyama does not disclose determining that a scheduled event is triggered during a predetermined time period. Montoyama does disclose uploading data when predetermined events occur, such as exiting the application program. However, Montoyama does not disclose uploading data in response to the scheduled event being triggered during a predetermined time, such as during the hours when use of the Internet is less likely. (See Montoyama column 14, lines 6-54 and column 15, line 50 - column 14, line 4.). Thus, amended claim 5 is also allowable over Montoyama for at least these reasons.

Dependent Claims

Amended claim 6 is drawn to the method of amended claim 5, where each recorded user interaction comprises, among other features, a (1) time stamp and (2) a description of the method invoked to interact with the software application program module. In contrast, Montoyama discloses CTime data for the start time of monitoring and does not include a time stamp for each user interaction as recited in claim 6. (See Montoyama column 15, lines 13-20). Secondly,

Montoyama does not disclose the method invoked to interact with the software application. Montoyama, only discloses what function key was selected not how the function key was selected. (See column 16, lines 48-67). Thus, amended claim 6 is allowable over Montoyama for at least these reasons.

Also, at least because claims 2-3 and 6 respectfully inherit the language of amended claims 1 and 5, Applicants respectfully submit that claims 2-3 and 6 are also allowable over Montoyama for at least the reasons discussed above with respect to amended claims 1 and 5.

**Claim Rejections - 35 U.S.C. § 103**

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Montoyama in view of Jawahar et al. U.S. Patent No. 6,256,620 (hereinafter Jawahar). As described above with respect to amended claim 5, neither Montoyama nor Jawahar alone, or in combination teach or suggest determining any user interaction with the software application program module and (2) determining that a scheduled event is triggered during a predetermined time period as recited in independent claim 5. Thus, claim 7, which depends from claim 5, is allowable over Montoyama in view of Jawahar for at least these reasons.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Montoyama and Jawahar in view of Ploetz et al. U.S. Patent No. 6,738,798 (hereinafter Ploetz). As described above with respect to amended claim 5, neither Montoyama, Jawahar, nor Ploetz alone, or in combination teach or suggest determining any user interaction with the software application program module and (2) determining that a scheduled event is triggered during a predetermined time period as recited in independent claim 5. Thus, claim 8, which depends from claim 5, is allowable over Montoyama in view of Jawahar and Ploetz for at least these reasons.

Claims 4 and 9-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Montoyama, Jawahar, and Ploetz in view of Godfrey et al. U.S. Patent No. 6,662,217 (hereinafter Godfrey).

**Claim 4**

As described above with respect to amended claim 1, neither Montoyama, Jawahar, Ploetz, nor Godfrey alone, or in combination teach or suggest logging code comprising a

plurality of hooks into an operating system of the computer, wherein when any feature of the application program module is used, one of the plurality of hooks is triggered and a data record is generated as recited in independent claim 1. Thus, claim 4, which depends from claim 1, is allowable over Montoyama in view of Jawahar, Ploetz, and Godfrey for at least these reasons.

Claims 9-11

As described above with respect to amended claim 5, neither Montoyama, Jawahar, Ploetz, nor Godfrey alone, or in combination teach or suggest determining any user interaction with the software application program module and (2) determining that a scheduled event is triggered during a predetermined time period as recited in independent claim 5. Thus, claims 9-11, which depend from claim 5, is allowable over Montoyama in view of Jawahar, Ploetz, and Godfrey for at least these reasons.

**CONCLUSION**

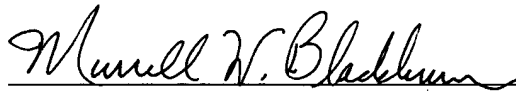
In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

No fees are believed to be due; however, the Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

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